In the Supreme Court of the United States

OCTOBER TERM, 1970

No. 1372

CHESTER BROWN, PETITIONER

v.

UNITED STATES OF AMERICA

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

MEMORANDUM FOR THE UNITED STATES IN OPPOSITION

After a jury trial in the United States District Court for the Northern District of Illinois, petitioner was convicted of trafficking in heroin in violation of 21 U.S.C. 174 and sentenced to ten years' imprisonment. The court of appeals affirmed (Pet. App. 1a–6a).

Petitioner's sole contention here is that the arresting agents did not have probable cause for his warrantless arrest, and thus that the heroin, discarded by petitioner during a high speed car chase which resulted in his arrest, should have been suppressed. The opinion of the court below sets forth in detail the facts concerning this

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matter (Pet. App. 2a–5a); on these facts, that court was plainly correct in finding probable cause for the attempt to arrest petitioner before the car in which he was riding drove off at high speed.

It is therefore respectfully submitted that the petition for a writ of certiorari should be denied.

ERWIN N. GRISWOLD,
Solicitor General.

MARCH 1971.

U.S. GOVERNMENT PRINTING OFFICE: 1971